(c) if so, the steps being taken by Government to prohibit/stop such serials; and

(d) if not, the reasons therefore?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYARANJAN DASMUNSI): (a) Prasar Bharati has stated that no such serials which encourage superstitions are broadcast on Doordarshan.

(b) to (d) Do not arise.

Vacancies and pending cases in courts

1285. DR. GYAN PRAKASH PILANIA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of vacancies of judges in Supreme Court, various High Courts, District Courts, till date, State-wise;

(b) the steps being taken to fill up the vacancies expeditiously;

(c) the reasons for not taking steps in advance to fill up the anticipated vacancies as date of retirement of each Judge is a matter of record;

(d) the number of cases (criminal/civil) pending in Supreme Court, various High Couts, District Courts, till date, State-wise;

(e) whether the huge pendency of cases at different level, has some correlation with the existing vacancies; and

(f) if so, the corrective measure, Government intend to take?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) to (f) The sanctioned strength as also the number of posts lying vacant in Supreme Court and various High Courts as on 01.12.2005 is given is the enclosed. Statemen-I *(See* below)

2. Filling up of vacancies in the High Courts is a continuous consultative process among the constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vancancies do keep arising on account of retirement, resignation or elevation of Judges.

2.1 Pursuant to the Supreme Court Judgment of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of Judges of a High Court lies with the Chief Justice of that High Court. The Government has, however, been requesting

the Chief Justices of the High Courts, Chief Ministers and the Governors of the States, from time to time, to initiate proposals for filling up of the present and anticipated vacancies during the next six months. In response to these efforts, 64 proposals for appointment of Judges in the High Courts have been received from the Chief Justices of High Courts as against 141 vacancies obtaining as on 01.12.2005.

3. Under Article 235 of the Constitution of India, the administrative control over the members of subordinate judiciary in the States vests with the concerned High court and the State Government. Thus, filling up of the vacant posts of judges/magistrates at the District and Subordinate Courts in the concern of the respective High Courts and the State Government.

3.1 The Supreme Court, is its judgment of March 21, 2002 in All India Judges Association case had directed that the existing vacancies in the Subordinate Courts at all levels should be filed, if possible latest by 31st March, 2003, in all the States.

3.2 The Central Government has been periodically urging all the State Governments/Union Territories to accord utmost priority to filling up of vacant posts of judges and magistrates. The Minister of Law and Justice has written to the Chief Justices of all High Courts and Chief Ministers of all States on 26.4.2002 for ensuring compliance of the aforesaid order of the Supreme Court dated 21st March, 2002. As per the information available, 2845 posts of Judges in District/Subordinate Courts were vacant as on 01.12.2004. State-wise details of vacant posts are given in the enclosed Statement II (*See* below).

4. As on 1st January, 2005 14,995 admission matters and 15,156 regular hearing matters were pending in the Supreme Court of India. Details showing the pendency position in the High Courts as per the information available is given in the enclosed Statement-III (*See* below).

4.1 The pendency of cases in Courts could be ascribed to various factors, with *inter-alia*, include vacancies of Judges, new legislations, substantial increase in fresh institution of cases, rise in population, heightened awareness of rights on the part of the citizens, granting of adjournments, industrial development in the country, increase in trade and commerce and socio-economic matters, legislative and administrative aspects touching on the life of citizens, lawyers strikes etc.

5. Various steps have been taken by the Government for the speedy disposal of cases which include setting up of fast track courts, amendment

to the Civil Procedure Codes, permanent adalats for disputes relating to public utilities, increase in the number of posts of judges, establishment of special courts/tribunals, improvement in the standard of legal education, adoption of alternative modes of disputes resolution, such as arbitration, conciliation and mediation.

Statement-I

Details of posts in Supreme Court and High Courts

Sl. No.	Name of the Court	Sanctioned Strength as on 01.12.2005	Judges in position	No. of vacancies
1	2	3	4	5
Supreme Court		**26**	**22**	**04**
High Courts				
1.	Allahabad	95	81	14
2.	Andhra Pradesh	39	30	09
3.	Bombay	60	55	05
4.	Calcutta	50	29	21
5.	Chhattisgarh	08	08	—
6.	Delhi	33	27	06
7.	Gauhati	19	18	01
8.	Gujarat	42	34	08
9	Himachal Pradesh	08	08	—
10.	Jammu & Kashmir	14	10	04
11.	Jharkhand	12	05	07
12.	Karnataka	40	31	09
13.	Kerala	29	28	01
14.	Madhya Pradesh	41	39	02
15.	Madras	42	22	20
16.	Orissa	20	14	06
17.	Patna	31	22	09
18.	Punjab & Haryana	40	29	11
19.	Rajasthan	40	32	08
20.	Sikkim	03	09	—
21.	Uttaranchal	09	09	—
	TOTAL :	675	534	141

Statement-II

Judge Strength at District/Subordinate Court Level
As on December 1, 2004

Name of the State U/T	No. of Sanctioned Posts	No. of posts filled	No. of vacant posts
Andhra Pradesh	797	724	73
Arunachal Pradesh	Judiciary is not separated Executive		
Assam	277	240	37
Bihar	1157	744	403
Chhattisgarh	235	192	43
Goa	44	28	16
Gujarat	896	727	169
Haryana	303	226	77
Himachal Pradesh*	98	92	6
Jharkhand	533	482	51
Jammu & Kashmir	202	186	16
Karnataka	805	691	114
Kerala	377	363	14
Madhya Pradesh	797	725	72
Maharashtra	1095	750	345
Manipur	35	27	8
Meghalaya	8	6	2
Mizoram*	33	15	18
Nagaland	16	16	0
Orissa	481	405	76
Punjab	305	251	54
Rajasthan	835	665	170

Name of the State U/T	No. of Sanctioned Posts	No. of posts filled	No. of vacant posts
Sikkim	13	7	6
Tamil Nadu*	767	702	65
Tripura	75	62	13
Uttar Pradesh	1930	1258	672
West Bengal	713	549	164
Uttaranchal	192	95	97
Union Territories			
Delhi	392	332	60
Pondicherry	21	20	1
Chandigarh	19	17	2
Andman & Nicobar Island**	8	8	0
Lakshdweep Island	3	3	0
Daman & Diu	4	3	1
Dadra & Nagar Havali***	2	2	0
TOTAL :	13468	10623	2845

As on January 2003. **As on July, 2003 ***As on June 2002

Statement-III

Statement showing Age-wise pending cases in High Courts

Sl. No.	High Courts	Total pending cases	Pending for more than 5 but less than 10 yrs.	Pending for more than ten yrs.
1	2	3	4	5
1.	Allahabad	981245	164484	322244
2.	Andhra Pradesh	183139	35215	3796
3.	Bombay	332975	66807	61035

1	2	3	4	5
4.	Calcutta	209233	48296	91080
5.	Delhi	113785	18909	20799
6.	Gujarat	143655	46808	19321
7.	Gauhati	57381	10616	32
8.	Himachal Pradesh	23539	36196	0
9.	Jammu & Kashmir	45225	5088	240
10.	Karnataka	129653	617	5656
11.	Kerala	130267	18965	1026
12.	Madras	298759	26958	4347
13.	Madhya Pradesh	200918	32567	9975
14.	Orissa	106549	2905	32015
15.	Patna	84948	67075	13461
16.	Punjab & Haryana	265302	66589	56338
17.	Rajasthan	204348	42234	14545
18.	Sikkim	55	0	0
19.	Uttaranchal	35898	6516	5960
20.	Jharkhand	63732	NA	NA
21.	Chhattisgarh	35812	NA	NA
	TOTAL :	3648475	627680	654206

Pending cases

†1286. SHRI RAVI SHANKAR PRASAD:
SHRI RAM JETHMALANI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that crores of cases were pending for decision in the courts as on the 30th April, 2005;

(b) if so, the details thereof;

(c) the number of cases wherein different levels of administration of the country or Government institutions are involved as party; and

†Original notice of the question was received in Hindi.